

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	3:19-CR-452-X
v.	§	
	§	
BRIAN CARPENTER (1)	§	
JERRY HAWRYLAK (2)	§	
	§	
Defendants.	§	

**ORDER GRANTING DEFENDANT'S UNOPPOSED JOINT**  
**MOTION TO CONTINUE TRIAL**

Before the Court is the Defendant's Unopposed Joint Motion to Continue Trial (the "Motion") (Doc. No. 65), filed on October 19, 2020. The Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial, and that failure to grant such a continuance might result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(i).

The Court finds that counsel needs additional time to review discovery in this case. The existing trial date in this case of December 7, 2020 would deny counsel for the defendant the reasonable time necessary for effective preparation of the defense. 18 U.S.C. § 3161(h)(7)(B). The likely result would be an inability to continue the proceeding and a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i). Therefore, the Court **GRANTS** the Motion.

Accordingly, it is **ORDERED** that the trial of the case is reset from **December 7, 2020 to Monday, June 7, 2021 at 9:00 a.m.** The period of delay shall be excluded in computing the time within which the trial must commence. Further, the Court finds that in

the interest of justice, this case shall be tried together with all co-defendants, pursuant to 18 U.S.C. § 3161(h)(6).

Pretrial motions must be filed no later than **April 2, 2021** and all responses, including responses to any previously pending motions, no later than **April 9, 2021**.

Requested voir dire questions, proposed jury instructions, witness lists (with witnesses designated as “custodial,” “expert,” or “fact,” as well as “probable” or “possible”), exhibit lists (with copies of exhibits furnished to the Court), and motions in limine must be filed no later than **May 28, 2021**.

Pretrial Conference is hereby scheduled for **June 1, 2021 at 10:00 a.m.** The defendant need not be present for the Pretrial Conference.

**Signed this 22<sup>nd</sup> day of October, 2020.**



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BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE